

Original sponsor(s): REP. HANLEY, Martin, Hoffman, Barnes, Furnace, Leman,
Hudson, Jacko, Miller, C.Davis, Collins, Boucher, Pettyjohn, Phillips,
Rieger, Sharp, Shultz, Swackhammer, Taylor, Zawacki, Menard, Foster

1 IN THE HOUSE BY THE HESS COMMITTEE

2 CS FOR HOUSE CONCURRENT RESOLUTION NO. 50 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 Endorsing the initiative process and
6 supporting the people's right to vote on
7 laws making possession, use, and display
8 of less than eight ounces of marijuana a
9 class B misdemeanor.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 WHEREAS more than 42,000 individuals in Alaska have exercised their
12 constitutional right and have signed a petition to put before the voters
13 the question of whether use, display, or possession of less than eight
14 ounces of marijuana by an adult should be made a class B misdemeanor; and

15 WHEREAS Alaska statutes, along with the statutes of 38 other states,
16 do not conform to the Federal Controlled Substance Act with respect to the
17 scheduling of offenses related to the possession, use, and display of
18 marijuana; and

19 WHEREAS Alaska is the only state in the United States that allows
20 adults up to four ounces of marijuana for personal use in the home without
21 criminal penalty, although six other states do not impose criminal pen-
22 alties for possession of less than one ounce of marijuana; and

23 WHEREAS, based on the right to privacy section of the Alaska constitu-
24 tion, the Alaska Supreme Court has determined that possession of small
25 amounts of marijuana by an adult 19 years of age and older in the home for
26 personal consumption is constitutionally protected; and

27 WHEREAS, because of publicity about the supreme court's decision,
28 Alaska's youth may conclude that, under current law, possession and use of
29 marijuana constitutes legal behavior when, in fact, under current federal

1 and state law, possession of marijuana by persons under 19 years of age is
2 a crime; and

3 WHEREAS, while the possession of marijuana by persons under 19 years
4 of age is illegal, possession of marijuana by adults in the home may cause
5 marijuana to be more accessible to persons under 19 years of age; and

6 WHEREAS the Alaska Association of School Governments has adopted
7 resolutions at two statewide conferences urging the legislature to amend
8 the current marijuana law to make the possession and use of less than four
9 ounces of marijuana illegal; and

10 WHEREAS the Alaska Federation of Natives, several local governments,
11 and several school districts and educational organizations across the state
12 have passed resolutions encouraging the recriminalization of marijuana; and

13 WHEREAS the use of marijuana may impair visual tracking and depth
14 perception and may reduce coordination, reaction time, and vigilance,
15 making it dangerous to drive, fly, or operate machinery; and

16 WHEREAS the President of the United States has called upon government
17 at all levels to enact laws and provide mechanisms to solve the problem of
18 drug abuse in our country;

19 BE IT RESOLVED that the Sixteenth Alaska State Legislature joins
20 Alaskans statewide in supporting the initiative process and thereby sup-
21 ports the people's right to vote on the initiative question making posses-
22 sion, use, and display of less than eight ounces of marijuana illegal a
23 class B misdemeanor.

24 COPIES of this resolution shall be sent to the Honorable Myra M.
25 Munson, commissioner of health and social services; the Alaska Peace Offi-
26 cers Association; Citizens Coalition for the Recriminalization of Mari-
27 juana; Alaskans for Drug Free Youth; the Alaska Federation of Natives; the
28 Alaska Association of School Governments; to each school board of a school
29 district; and to the Honorable Ted Stevens and the Honorable Frank

1 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative,
2 members of the Alaska delegation in Congress.